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U.S. Department
of Transportation

Federal Aviation
Administration

Western-Pacific Region
Office of Regional Counsel

DEPT. OF TRANSPORTATION
09/10/2002

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P.O. Box 92007
Los Angeles, CA 90009-2007

September 10, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
and by FAX

Hearing Docket, Room 924A
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

FAA-2002-13337-1
CP03WP00015

Re: In the Matter of United Airlines, Inc.; Case No. 2001 WP290006

Enclosed herewith please find a copy of a request for hearing dated August 23, 2002, and the original and one copy of the Complaint in the above-referenced proceeding.

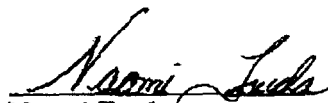
I request that the hearing in this matter be held in the San Francisco, California area, and expect that the hearing will last one (1) day.

Please address all communications for the Regional Counsel of the Western-Pacific Region, to the undersigned, at: Office of the Regional Counsel, WP-7.10 Federal Aviation Administration, Western-Pacific Region, P. O. Box 92007, Los Angeles, CA 90009-2007, Telephone: (310) 725-7105, FAX: (310) 725-6816.

Sincerely,

MONROE P. BALTON
Regional Counsel

By:


Naomi Tsuda
Deputy Regional Counsel

Enclosures: Request for Hearing; Complaint; Certificate of Service

NOTE TO RESPONDENT: SECTION 13.209 OF THE CP RULES OF PRACTICE REQUIRE THAT A WRITTEN ANSWER TO THE COMPLAINT BE FILED NOT LATER THAN 30 DAYS AFTER SERVICE OF THE COMPLAINT. AS AN ALTERNATIVE TO FILING AN ANSWER, A MOTION MAY BE FILED PURSUANT TO SECTION 13.208(D) OR SECTION 13.218(F)(4) OF THE RULES OF PRACTICE.

**U.S. DEPARTMENT OF TRANSPORTATION
REGIONAL COUNSEL OFFICE
FEDERAL AVIATION ADMINISTRATION**

In the Matter of:

FAA DOCKET Not Assigned

**UNITED AIRLINES
Respondent**

FAA CASE NO. 2001WP290006

JUDGE NOT ASSIGNED

COMPLAINT

The Regional Counsel for the Western-Pacific Region, Federal Aviation Administration (FAA), hereby files his Complaint, pursuant to Rule 208 of the Rules of Practice (14 C.F.R. 13.208), and states as follows:

I.

1. At all times herein, UNITED AIRLINES, INC. ("UAL") was the holder of Air Carrier Certificate No. UALA011A and Operations Specifications issued under Part 121 of the Federal Aviation Regulations.
2. On or about September 28, 2000, UAL performed maintenance on a Boeing 767-322 aircraft, N665UA, in that, among other things, the torsion link was disconnected while troubleshooting a flap configuration warning problem.
3. At all times relevant herein, N665UA had a U.S. airworthiness certificate and was operated under a continuous airworthiness program under Part 121 of the FAR's.

4. After maintenance, N665UA was approved for return to service, although the torsion link had not been properly reconnected.
5. The improper connection of the torsion link rendered N665UA unairworthy.
6. Thereafter, N665UA was flown on Flight 9154, and landed at San Francisco International Airport with a severe nose strut vibration and no nose wheel steering, as a result of the improperly connected torsion link.

II.

By reason of the foregoing, UAL violated the following sections of the Federal Aviation Regulations:

- a. Section 43.13(a), in that UAL performed maintenance on an aircraft and failed to use the methods, techniques, and practices prescribed in the current manufacturer's maintenance manual or Instructions for Continued Airworthiness prepared by its manufacturer, or other methods, techniques, and practices acceptable to the Administrator;
- b. Section 43.13(b), in that UAL performed maintenance and failed to do the work in such a manner and use materials of such a quality, that the condition of the aircraft worked on was at least equal to its original or properly altered condition;

- c. Section 121.367(c), in that UAL failed to have an inspection program and a program covering other maintenance, to ensure that each aircraft released to service is airworthy and has been properly maintained for operation under Part 121 of the FAR's; and
- d. Section 121.153(a)(2), in that UAL operated an aircraft when that aircraft was not in an airworthy condition and did not meet the applicable airworthiness requirements of this chapter.

III.

1. Pursuant to 49 U.S.C. Section 46301, UAL is subject to a civil penalty not to exceed \$11,000.00 for each of the violations noted.
2. Under the facts and circumstances of this case, a civil penalty of \$30,000.00 is appropriate.

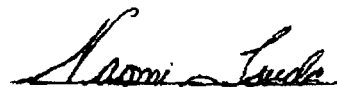
WHEREFORE, the Regional Counsel, FAA, Western-Pacific Region, respectfully requests that the Administrative Law Judge enter an order that Respondent be assessed a civil penalty in the amount of \$30,000.00

Respectfully submitted,

Federal Aviation Administration
Western-Pacific Region

MONROE P. BALTON
Regional Counsel

By:


Naomi Tsuda
Deputy Regional Counsel

DATED: September 10, 2002

UNITEDVania Montero Wit
Senior CounselDirect Line: (847) 700-1084
Fax: (847) 700-4683
E-mail: vania.m.wit@ual.com**BY FEDERAL EXPRESS DAY**

August 23, 2002

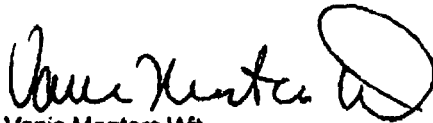
SEP - 4 - 2002

Hearing Docket Clerk
FAA Hearing Docket
Federal Aviation Administration
800 Independence Ave., S.W., Room 924 A
Washington, D.C., 20591Re: FAA Case No. 2001WP290006

Attention Hearing Docket Clerk

United hereby submits a request for a formal hearing in the above-captioned case. If you have any questions, please contact me.

Sincerely,

Vania Montero Wit
Senior Counsel
United Airlines, WHQLD
P.O. Box 66100
Chicago, IL 60666cc: Naomi Tsuda, Esq.
Office of the Regional Counsel
Federal Aviation Administration
P.O. Box 92007
Los Angeles, CA 90009-2007

CERTIFICATE OF SERVICE

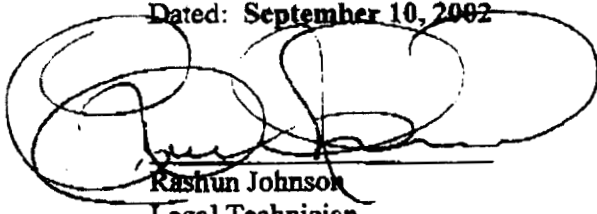
I hereby certify that on this date I have placed in the United States mail, postage prepaid, and by fax the executed original and one copy of the Complaint, addressed as follows:

Attn: Hearing Docket Clerk
Federal Aviation Administration Hearing Docket
800 Independence Avenue, S.W., Room 924A
Washington, DC 20591
FAX (202) 267-5690

I further certify that on this date I have placed in the United States mail, postage prepaid, certified mail, and by fax a true copy of the Complaint, addressed as follows:

Vania Montero Wit
Senior Counsel
United Airlines, WHQLD
P. O. Box 66100
Chicago, IL 60666
FAX (847) 700-4683

Dated: September 10, 2002



Rashun Johnson
Legal Technician
Office of the Regional Counsel
Federal Aviation Administration